

AMENDED IN ASSEMBLY MAY 7, 2013

AMENDED IN ASSEMBLY APRIL 10, 2013

AMENDED IN ASSEMBLY MARCH 19, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 784

Introduced by Assembly Member Weber

February 21, 2013

An act to add Section 12331 to the Welfare and Institutions Code, relating to public social services.

LEGISLATIVE COUNSEL'S DIGEST

AB 784, as amended, Weber. In-Home Supportive Services: provider health care benefits.

Existing law provides for the county-administered In-Home Supportive Services (IHSS) program, under which qualified aged, blind, and disabled persons are provided with services in order to permit them to remain in their own homes and avoid institutionalization. Under existing law, the state, a county, a public authority, a nonprofit consortium, or an IHSS recipient may be considered the employer of an IHSS provider.

Existing federal law, the federal Patient Protection and Affordable Care Act (PPACA), enacts various health care coverage market reforms that take effect January 1, 2014. Among other things, PPACA imposes an assessment on certain employers who fail to offer to their full-time employees and their dependents the opportunity to enroll in minimum essential coverage under an eligible employer-sponsored plan.

This bill would establish an advisory committee ~~on~~ *to assess* the impact of PPACA on health care benefits for IHSS providers and would

provide for the appointment of members to the committee by the Governor, the Speaker of the Assembly, and the Senate Committee on Rules, as specified. The bill would require the advisory committee to provide a report to specified legislative committees on or before March 1, 2014, on the appropriate employer in the IHSS program to provide health care benefits to IHSS providers under PPACA.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12331 is added to the Welfare and
2 Institutions Code, to read:

3 12331. (a) There shall be established a 13-member advisory
4 committee to assess the impact of the federal Patient Protection
5 and Affordable Care Act (*Public Law 111-148*), *as amended by*
6 *the federal Health Care and Education Reconciliation Act of 2010*
7 *(Public Law 111-152), and any rules, regulations, or guidance*
8 *issued thereunder (PPACA)* on health care benefits for in-home
9 supportive services providers. At least 50 percent of the
10 membership of the advisory committee shall be individuals who
11 are current or past providers of personal assistance services paid
12 for through in-home supportive services.

13 (1) At least two members of the advisory committee shall be
14 ~~current or former providers of in-home supportive services.~~ *experts*
15 *on health benefits and PPACA.*

16 (2) Individuals who represent organizations that advocate for
17 people with disabilities or seniors may be appointed to the advisory
18 committee.

19 (3) Individuals from labor organizations that are designated
20 representatives of IHSS providers shall be appointed to the advisory
21 committee.

22 (b) The Governor shall appoint seven members, the Speaker of
23 the Assembly shall appoint three members, and the Senate
24 Committee on Rules shall appoint three members.

25 (c) Prior to appointment of the members to the advisory
26 committee, the Governor, the Speaker of the Assembly, and the
27 Senate Committee on Rules shall consult with labor organizations
28 and organizations that advocate for seniors and persons with
29 disabilities regarding these appointments.

1 (d) The advisory committee established pursuant to subdivision
2 (a) shall provide a report to the Assembly Committee on Human
3 Services, the Senate Committee on Human Services, the Assembly
4 Committee on Health, and the Senate Committee on Health, on or
5 before March 1, 2014, on the appropriate employer under the
6 In-Home Supportive Services program to provide health care
7 benefits to in-home supportive services providers under the Patient
8 Protection and Affordable Care Act *PPACA*.

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